

A regular meeting of the Mayor and City Council of the City of Columbus, Nebraska, was convened in open and public session on July 7, 2014, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on July 2, 2014, with a copy of the proof of publication being on file in the office of the City Clerk. Notice of this meeting was given simultaneously to the Mayor and members of the City Council, with a copy of the acknowledgement of receipt of notice being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT: Mayor Moser read the following statement: "In compliance with the Open Meetings Act, Legislative Bill 898, Second Session Ninety-Ninth Legislature of Nebraska, a current copy of the Act is posted in this meeting room".

ROLL CALL: Present were Mayor Michael Moser and Council Members Beth Augustine-Schulte, Charlie Bahr, Ron Bogus, Jim Bulkley, Rich Jablonski, John Lohr, and Ron Schilling. Council Member Terry Reardon was absent and excused.

City staff members present included City Administrator Joseph Mangiamelli, City Clerk Janelle Kline, City Attorney Mark Sipple, City Engineer Rick Bogus, Police Chief William Gumm, Public Works Director Roger Buell, Transfer Station Supervisor Mike Shemek, Water Utility Supervisor Chuck Sliva, and Lead Animal Control Officer Donna Winig.

PRAYER: Mayor Moser asked all to rise and Council President Schilling led in prayer.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE: Mayor Moser asked all to remain standing and join him in the National Anthem and Pledge of Allegiance.

CONSENT AGENDA: City Administrator Mangiamelli stated that the following items are considered routine by the City Council and will be enacted by one motion. He pointed out that there will be no separate discussion of these items unless a City Council Member or a citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- A. Approval of minutes of the June 16, 2014, City Council meeting.
- B. Approval of reappointment of Adam Urkoski (Council of Officials) to the Northeast Nebraska Economic Development District for one-year term.
- C. Approval of application of Eric P. McDonald as manager of Kum & Go #338, 771 33 Avenue, in conjunction with Class "B" Liquor License.

- D. Approval of specifications and authorization to purchase a front end loader for the Transfer Station from Nebraska State Bid Contract in the amount of \$153,365.74.
- E. Approval of payroll and bills on file. 7/18/14 Payroll \$521,206.21; East Central District Health – Economic Development 68,142.00; State of Nebraska Department of Revenue – Sales Tax 48,700.72 TOTAL \$638,048.93.

Council Member Bogus requested that Item D, Approval of specifications and authorization to purchase a front end loader for the Transfer Station from the Nebraska State Bid Contract in the amount of \$153,365.74, be removed from consent status and considered in its normal sequence on the agenda under Item 13, New Business. Moved by Schilling, seconded by Lohr, the items on the consent agenda, with the exception of Item D, being routine in nature, be approved as presented. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried.

AWARD OF QUOTE FOR LANDSCAPING AT NEW TRANSFER STATION SITE: A memorandum was presented from Public Works Director Buell recommending that the quote for landscaping at the new Transfer Station site be awarded to Arbor Hills Trees & Landscaping, LLC in the amount of \$31,640. Moved by Bogus, seconded by Bulkley, the quote be awarded. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried.

AWARD OF QUOTE FOR SOFTWARE FOR SANITARY SEWER INSPECTION PROGRAM: A memorandum was presented from Public Works Director Buell recommending that the quote for software for the Sanitary Sewer Inspection Program be awarded to Municipal Pipe Tool Company, LLC in the amount of \$11,323.66. Moved by Augustine-Schulte, seconded by Bahr, the quote be awarded. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried.

APPOINTMENT OF PAM PERAULT TO AMERICAN WITH DISABILITIES COMPLIANCE COMMITTEE: A memorandum was presented from Mayor Moser submitting the name of Pam Perault for appointment to the American with Disabilities Compliance Committee to fill the unexpired term of Shelly DeWispelare. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Jablonski, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted “Aye” and none voted “Nay.” Council Member Reardon was absent. Motion carried.

APPOINTMENT OF ROBERT C. ELSASSER TO PLANNING COMMISSION: A memorandum was presented from Mayor Moser submitting the name of Robert C. Elsasser for appointment to the Planning Commission for a three-year term. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Augustine-Schulte, to approve the Mayor's appointment. Roll call and Council Members

Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

APPOINTMENT OF K.C. BELITZ TO CITIZEN'S ADVISORY REVIEW COMMITTEE:

A memorandum was presented from Mayor Moser submitting the name of K.C. Belitz for appointment to the Citizen's Advisory Review Committee to fill the unexpired term of Robert Elsasser. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Bahr, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

Library Director Jill Owens arrived at 7:12 p.m.

APPOINTMENT OF PAULA O'CONNELL TO CITIZEN'S ADVISORY REVIEW COMMITTEE:

A memorandum was presented from Mayor Moser submitting the name of Paula O'Connell for appointment to the Citizen's Advisory Review Committee for a four-year term. Council President Schilling read a brief resume and it was moved by Schilling, seconded by Bulkley, to approve the Mayor's appointment. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

APPROVAL OF SPECIFICATIONS AND AUTHORIZATION TO PURCHASE A FRONT END LOADER FOR THE TRANSFER STATION FROM THE NEBRASKA STATE BID CONTRACT:

A memorandum was presented from Public Works Director Buell recommending that the specifications be approved and city staff be authorized to purchase a front end loader for the Transfer Station from the Nebraska State Bid contract in the amount of \$153,365.74. In response to Council Member Bogus, Public Works Director Buell explained that the current loader is used for grass and sticks and is not equipped to operate on the new tipping floor for extended periods of time. Buell further explained the advantages of utilizing the state bid contract. Moved by Schilling, seconded by Bulkley, the specifications be approved and city staff be authorized to purchase from the Nebraska State Bid contract. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS: There were no comments from the Mayor and City Council members.

RESOLUTION NO. R14-57 WAS INTRODUCED BY COUNCIL MEMBER AUGUSTINE-SCHULTE.

RESOLUTION NO. R14-57
ADOPTED: JULY 7, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AGREEMENT WITH PLATTE COUNTY, NEBRASKA, TO PROVIDE LIBRARY SERVICES FROM JULY 1, 2014 THROUGH JUNE 30, 2017,

FOR CITIZENS OF PLATTE COUNTY WHO RESIDE OUTSIDE OF THE COLUMBUS CITY LIMITS, EXCLUDING HUMPHREY, NEBRASKA, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND TO REPEAL ALL RESOLUTION IN CONFLICT HEREWITH.

Moved by Augustine-Schulte, seconded by Schilling, Resolution No. R14-57 be passed and adopted. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-58 WAS INTRODUCED BY COUNCIL MEMBER BOGUS.

RESOLUTION NO. R14-58
ADOPTED: JULY 7, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING AN AGREEMENT WITH HDR ENGINEERING, INC. IN THE AMOUNT OF \$59,500 FOR TRAFFIC SIGNAL DESIGN AT THE INTERSECTION OF 33 AVENUE/38 STREET AND THE INTERSECTION OF 33 AVENUE/LOST CREEK PARKWAY AS PART OF THE DISCOVERER ADDITION INFRASTRUCTURE IMPROVEMENTS, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE; AND TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF COLUMBUS, NEBRASKA.

Moved by Bogus, seconded by Bulkley, Resolution No. R14-58 be passed and adopted. Council President Schilling noted that he will vote in favor of this resolution for design of the traffic signals; however, he expressed concerns with regard to the necessity of lights at the intersection of 33 Avenue and the Lost Creek Parkway and said he will request additional justification when it comes time for approval of the installation. City Engineer Bogus pointed out that a traffic study directed by the Columbus Public School District warrants a traffic signal at this intersection with plans in progress for a new high school in the area and he will forward a copy of the study to Council President Schilling. In response to Doug Briese, 2817 38 Street, City Engineer Bogus confirmed that warning lights are included in the plans. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-59 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

RESOLUTION NO. R14-59
ADOPTED: JULY 7, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, REPEALING RESOLUTION NO. R14-56, ADOPTED JUNE 16, 2014, AWARDED A CONTRACT FOR PURCHASE AND INSTALLATION OF FOUR EMERGENCY WARNING SIRENS IN THE CITY TO SCHMADER ELECTRIC;

REJECTING THE BIDS RECEIVED; AND AUTHORIZING STAFF TO READVERTISE FOR BIDS WITH REVISED SPECIFICATIONS.

Moved by Bahr, seconded by Bulkley, Resolution No. R14-59 be passed and adopted. City Administrator Mangiamelli explained that this project was for four warning sirens in the city and six warning sirens in the county. The original specifications were specifically developed for the city; however, state statutes for the county require specifications to be made as general in nature as possible and an appeal was made by one of the vendors. The specifications will be re-drafted to include the phrase "or equivalent" and the project will be re-advertised for bids. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

RESOLUTION NO. R14-60 WAS INTRODUCED BY COUNCIL MEMBER BULKLEY.

RESOLUTION NO. R14-60
ADOPTED: JULY 7, 2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ACCEPT THE DEDICATION OF SIDEWALK EASEMENT GRANTED TO THE USE AND BENEFIT OF THE PUBLIC FROM CORNERSTONE BANK, A CORPORATION UNDER THE LAWS OF NEBRASKA, OVER AND ACROSS THE FOLLOWING-DESCRIBED REAL PROPERTY FOR THE PURPOSE OF A SIDEWALK, TO-WIT: THE WEST 5 FEET OF THE SOUTH 120 FEET OF LOT 1, BLOCK D, GOECKEL ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY AND A TRACT OF LAND LOCATED IN LOT 1, BLOCK D, GOECKEL ADDITION TO THE CITY OF COLUMBUS, PLATTE COUNTY, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF US HWY 30 AND THE EAST LINE OF SAID LOT 1; THENCE WESTERLY ON SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF, 43 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING WESTERLY, ON SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF, 55 FEET; THENCE SOUTHERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF, 5 FEET; THENCE EASTERLY, PARALLEL WITH AND 5 FEET SOUTH OF SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF, 55 FEET; THENCE NORTHERLY 5 FEET TO THE POINT OF BEGINNING; AND TO AUTHORIZE THE MAYOR TO ACCEPT THE EASEMENT PURSUANT TO THE ATTACHED EASEMENT AGREEMENT; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HERewith.

Moved by Bulkley, seconded by Schilling, Resolution No. R14-60 be passed and adopted. In response to Council Member Jablonski, City Administrator Mangiamelli said the planned improvements for 23 Street will not affect this easement and he confirmed that all projects along this corridor are planned with the knowledge of future improvements. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried.

ORDINANCE NO. 14-07 WAS INTRODUCED BY COUNCIL MEMBER BAHR.

ORDINANCE NO. 14-07
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 90.001 OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE), TO REMOVE BEES FROM WILD OR EXOTIC ANIMAL DEFINITIONS; AND ADD SECTIONS 90.070 THROUGH 90.072 PERTAINING TO THE KEEPING OF BEES AND AUTHORIZING APIARIES; TO PROVIDE FOR PERMITS AND FEES AS REQUIRED; REVOCATION OF PERMITS; CONDITIONS THEREFOR; AND TO PROVIDE FOR THE EFFECTIVE DATE.

On its first reading, Ordinance No. 14-07 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the July 21, 2014, City Council meeting for a second reading to allow for public input and advanced to the August 4, 2014, City Council meeting for a final reading. Mangiamelli pointed out that this ordinance specifies the details of the permit fee and an amended ordinance will be presented at the next meeting to state that the permit fee will be set by resolution and included in the city's Schedule of Fees. Mangiamelli also pointed out that the amended ordinance will include a provision for a review process for objections by neighbors. In response to Council Member Jablonski, City Attorney Sipple said public input at the next meeting will determine the need for any additional provisions.

ORDINANCE NO. 14-08 WAS INTRODUCED BY COUNCIL MEMBER LOHR.

ORDINANCE NO. 14-08
FIRST READING

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 90.034, SUBSECTIONS (B) AND (C), OF CHAPTER 90 OF TITLE IX OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE), PERTAINING TO APPEALS OF DANGEROUS DOG DESIGNATIONS TO PROVIDE FOR OWNER APPEALS TO BE FILED AS INDIGENT WITH FEES WAIVED AND TO PROVIDE FOR SPECIAL ACCOMMODATIONS IN SETTING THE DATE FOR THE APPEAL HEARING.

On its first reading, Ordinance No. 14-08 was read by title only at this meeting. City Administrator Mangiamelli requested this ordinance be continued to the July 21, 2014, City Council meeting for a second reading to allow for public input and advanced to the August 4, 2014, City Council meeting for a final reading. Mangiamelli pointed out that this ordinance specifies the details of the appeal fee and an amended ordinance will be presented at the next meeting to state that the appeal fee will be set by resolution and included in the city's Schedule of Fees.

Moved by Bulkley, seconded by Schilling, the meeting be adjourned. Roll call and Council Members Augustine-Schulte, Bahr, Bogus, Bulkley, Jablonski, Lohr, and Schilling voted "Aye" and none voted "Nay." Council Member Reardon was absent. Motion carried and the meeting was adjourned at 7:40 p.m.

Presented and approved this 21 day of July, 2014.

MAYOR

ATTEST:

CITY CLERK